

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

ILDEFONSO RIVERA-LEON,

Defendants.

4:22CR3115

ORDER

Co-defendant Gonzalez is scheduled to enter a guilty plea on April 25, 2023. Defendant Rivera-Leon intends to go to trial. Since the defendant's are joined for trial, any trial must wait until Gonzalez' anticipated plea is accepted.

Accordingly, with the consent of the parties,

IT IS ORDERED:

- 1) The trial of this case is set to commence before the Honorable John M. Gerrard, Senior United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on May 22, 2023, or as soon thereafter as the case may be called, for a duration of three (3) trial days. Jury selection will be held at commencement of trial.
- 2) The government's expert witness disclosures as required under Rule 16 must be served on or before April 21, 2023, with any defense Rule 16 expert disclosures served on or before May 5, 2023, and any rebuttal opinions disclosed on or before May 12, 2023.
- 3) The time between March 24, 2023 and May 22, 2023, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act because the parties require additional time to adequately prepare the case for trial, taking into consideration due diligence of counsel, the novelty and complexity of

the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B). Failing to timely object to this order as provided under the court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 31st day of March, 2023.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge